

## Board of Registration of Dispensing Opticians

### Public Session Minutes

Date: December 8, 2021 Time: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Registration of Dispensing Opticians (“the Board”) was held remotely by video conference and telephone pursuant to Chapter 20 of the Acts of 2021: *An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency* signed into law on June 16, 2021.

#### Board Members Present:

David Fogg  
Deanna Kurlowecz, Board Chair  
Marty Bregman  
Gary Peters

#### Staff Present:

Sheila York, Board Counsel  
Thomas F. Burke, Executive Director

#### Meeting called To Order:

- Ms. Kurlowecz called the meeting to order at 10:02 am.
- Exit and Evacuation procedures were tabled.

#### Review Meeting Minutes:

- Public Meeting Minutes from November 3, 2021: **Mr. Fogg moved to accept the minutes as amended and Mr. Peters seconded. Motion to accept November 3, 2021 minutes by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”.**

#### Board Business:

- **Report from Executive Director, Thomas Burke**  
Mr. Burke reported that Board staff is complying with Governor Baker’s executive order requiring all Executive Department employees to provide proof of COVID-19 vaccination on or before October 17, 2021. Mr. Burke reminded the Board that he and Board Counsel will provide ongoing guidance regarding the transfer of resources and staff to the Department of Public Health.

#### Application Review:

At 10:11 a.m., the Board was scheduled to meet with one applicant for licensure and reviewed the application and additional documentation. Below is a list of the candidate for review and the motion and roll call vote for each:

Christine Howard – **Ms. Howard submitted an additional letter to provide breakdown of her apprentice training hours. After review, the Board instructed staff to notify applicant to submit a revised letter. Per the Board’s previous motion at 11/03/2021 meeting, Mr. Fogg will provide guidance to Board staff to explain to the applicant areas of concern. No vote was taken.**

## Discussion:

- **Consumer Fact Sheet Revisions** – The Board reviewed changes to the Consumer Fact Sheet. Per Board instruction, the Executive Director will send Board members past revisions for review. Board members will provide updated revisions to Board staff and review at the subsequent meeting. The Board expressed interest in creating a consumer link on the Board website to facilitate easier access to consumer information.
- **Corporate Updates – G. Peters** – Mr. Peters noted that the twofold goal of Board updates to corporate entities is to increase the number of apprentice opticians and provide better education to their sponsors. The Board discussed whether this may happen through creation of a policy on corporate management in optical goods stores and whether managers should be licensed. In response, Board Counsel noted that the term “manager” is broad and that the focus needs to be on the duties that the manager is performing or supervising. A manager who dispenses eyeglasses or contact lenses or performs any service within the scope of a dispensing optician must be licensed to do so. A manager who is not licensed as a dispensing optician must not have authority to direct or control a dispensing optician in their practice of opticianry.
- **5.02: Standards for Dispensing of Lenses or Eyeglasses** – Tabled.
- **NCLE Practical Exam Update** – The Board continued discussion of expanding the exam requirements to include the NCLE practical administered by the American Board of Opticianry & National Contact Lens Examiners. After discussion, the Board instructed the Executive Director and Board Counsel to meet with Mr. Jim Morris, the Executive Director and General Counsel for the testing organization and report back to the Board. No vote was taken.
- **CEPA Agreement Revisions – Mr. Fogg moved to approve the 2010 CEPA agreement and continue to review submissions on a case-by-case basis. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

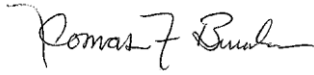
## Open session for topics not reasonably anticipated 48 hours in advance meeting:

- Celina Pendexter of the Division of Apprentice Standards provided an update to the Board. She reported that all applications must be submitted using the ePLACE portal. Paper applications will no longer be accepted. Applications must be submitted by the sponsor of the apprentice. Apprentices should consult with their regional manager, owner, or officer of the company regarding the status of their application and apprentice registration. Ms. Pendexter introduced Mr. Joseph Rubello, who is a new compliance officer at the Division of Apprentice Standards.

## Adjournment:

- **At 11:45 a.m., Mr. Fogg moved to adjourn the meeting. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

Respectfully Submitted,



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Thomas F. Burke  
Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of December 8, 2021
- Draft Minutes of the November 3, 2021 meeting
- Report on Approved Licensed Opticians
- Applications for C. Howard (protected personal data redacted)
- Consumer Fact Sheet